

**SAMUEL MILLS and
HELEN MILLS,**

The Amended Complaint seeks damages in excess of \$250,000.00. Copies of the Complaint, the Amended Complaint, and all other pleadings filed to date in the Montgomery County Circuit Court are attached hereto and incorporated by reference herein as *Collective Exhibit A*.

3. For the reasons stated below, this Court has jurisdiction over the state court action pursuant to 28 U.S.C. § 1332, because it is a civil action in which the amount in controversy exceeds the sum of \$75,000.00, exclusive of costs and interest, and it is between citizens of different states.

I. This Defendant has satisfied the procedural requirements for removal.

4. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b), because it is filed “within thirty days after receipt by the defendant . . . of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based.” 28 U.S.C. § 1446(b) (2014). In this case, the plaintiff’s Amended Complaint, filed on November 24, 2014, was the first pleading from which it was ascertainable that this matter was removable.

5. The United States District for the Middle District of Tennessee includes the county in which the state court action is now pending. Therefore, this Court is a proper venue for this action pursuant to 28 U.S.C. § 123(a)(3) and § 1441(a).

6. Pursuant to 28 U.S.C. § 1446(d), the defendant has filed written notice of this removal with the Clerk of the State Court in which the action is currently pending. Copies of the Notice of Filing, together with this Notice of Removal, are being served upon plaintiff’s counsel pursuant to 28 U.S.C. § 1446(d).

II. Removal is proper in the present case.

7. The amended Complaint seeks damages in excess of \$250,000.00 and therefore the amount in controversy of said action exceeds the sum or value of \$75,000.00. *See Collective Exhibit A.*

8. There is complete diversity between the plaintiffs and the defendant. In the plaintiffs' Complaint, the plaintiffs admit that they are citizens and residents of the state of Tennessee. *See Collective Exhibit A.* Further, as the plaintiffs acknowledge in their Amended Complaint, this defendant is a foreign corporation. Thus, complete diversity exists among the parties in this case.

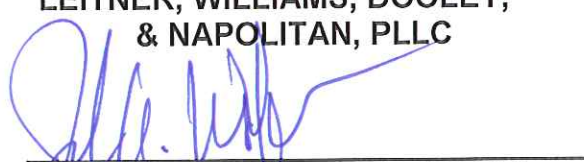
WHEREFORE, the defendant respectfully removes this action from the Montgomery County Circuit Court in Clarksville, Tennessee, bearing docket number 00 14 1963 to this Court.

This 18th day of December, 2014

Respectfully submitted,

LEITNER, WILLIAMS, DOOLEY,
& NAPOLITAN, PLLC

BY:



JOSHUA A. WOLFE (BPR #23101)
Attorneys for Defendant
180 Market Place Blvd.
Knoxville, TN 37922
(865) 523-0404

CERTIFICATE OF SERVICE

I, **Joshua A Wolfe**, the undersigned attorney, do hereby certify that the foregoing document has been delivered to all counsel for parties at interest in this cause by placing a true and correct copy of same in the United States mail, postage prepaid, in a properly addressed envelope, or by hand delivering same to each such attorney as follows:

Attorney for Plaintiffs
Thomas W. Thompson
Thompson Trial Group, P.A.
4725 North Lois Ave.
Tampa, FL 33614-7046

This the 18th day of December, 2014.

BY: 

JOSHUA A. WOLFE